

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HITACHI CONSUMER ELECTRONICS CO., LTD., and HITACHI ADVANCED DIGITAL, INC.

Plaintiff,

v.

TOP VICTORY ELECTRONICS (TAIWAN) CO. LTD., TPV INT'L (USA), INC., ENVISION PERIPHERALS, INC., TOP VICTORY ELECTRONICS (FUJIAN) CO. LTD., TPV ELECTRONICS (FUJIAN) CO. LTD., TPV TECHNOLOGY LTD., and VIZIO, INC.

Defendants.

CIVIL ACTION NO. 2:10-CV-260-JRG

JURY

**JOINT MOTION TO ENTER AGREED PROPOSED ORDER REGARDING
SEVERANCE**

Plaintiff Hitachi Consumer Electronics Co., Ltd. (“Hitachi” or “Plaintiff”) and Defendants Top Victory Electronics (Taiwan) Co. Ltd., TPV International (USA), Inc., Envision Peripherals, Inc., Top Victory Electronics (Fujian) Co., Ltd., TPV Electronics (Fujian) Co. Ltd., TPV Technology Ltd., (collectively “TPV” or “Defendants”) jointly move the Court to enter the attached Proposed Order Granting-in-Part Hitachi’s Motion to Sever and Stay Litigation of Certain Patents Pursuant to Federal Rule of Civil Procedure 21.

On April 2, 2013, Hitachi filed its Motion to Sever and Stay Litigation of Certain Patents Pursuant to Federal Rule of Civil Procedure 21 (Docket No. 296). TPV opposed. Pursuant to the Court’s instructions at the April 2, 2013, Pre-Trial Conference, the parties have conferred and agreed on a proposed order to be entered severing certain claims, defenses, and counterclaims.

The parties respectfully request that the Court enter the attached proposed order, which TPV approves as to form only.

Dated: April 4, 2013

Respectfully submitted,

/s/ Jeffrey B. Plies

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Dated: April 4, 2013

Respectfully submitted,



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/s/ Eric J. Klein (w/permission)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 4, 2013.

/s/ Jeffrey B. Plies
Jeffrey B. Plies